

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DIANA ZOE ELLIS,

Plaintiff,

v.

DEPARTMENT OF VETERANS
AFFAIRS, U.S. DEPARTMENT OF
TREASURY

Defendants.

NO. CV-08-255-EFS

**ORDER DISMISSING COMPLAINT
WITH PREJUDICE**

In an Order on August 22, 2008 (Ct. Rec. 15), the Court identified several deficiencies with Plaintiff's Complaint (Ct. Rec. 9) and directed her to file an amended complaint within sixty (60) days. Instead of filing an amended complaint, Plaintiff submitted a letter asserting that "ammending [sic] a *pro se* litigant's complaint is obstruction of due process law [sic] of the Constitution! My complaint stands as written." (Ct. Rec. 17 at 1.) The Court previously informed Plaintiff that her complaint was defective for three (3) reasons: 1) Plaintiff failed to articulate any cognizable claims against Defendants; 2) the Complaint did not comply with either the Federal Rules of Civil Procedure or the Local Rules for the Eastern District of Washington; and 3) Plaintiff, as a

1 private citizen, cannot pursue a criminal action against Defendants based
2 on theft. Although granted an opportunity to amend her Complaint and
3 remedy its deficiencies, Plaintiff declined to do so.

4 Accordingly, **IT IS HEREBY ORDERED:** this action is **DISMISSED with**
5 **prejudice** for failure to state a claim upon which relief may be granted
6 under 28 U.S.C. § 1915(e) (2).

7 **IT IS SO ORDERED.** The District Court Executive is directed to:

- 8 1) enter this Order;
9 2) forward a copy to Plaintiff at her last known address;
10 3) enter judgment of dismissal with prejudice; and
11 4) close the file.

12 **DATED** this 5th day of September 2008.

13
14 S/ Edward F. Shea

EDWARD F. SHEA

15 United States District Judge

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